



April 5, 2010

Mr. W. Scott Thorpe
Chief Executive Officer
California District Attorneys Association
921 11th Street, Suite 300
Sacramento, CA 95814

Dear Mr. Thorpe:

The California Emergency Management Agency (Cal EMA), Law Enforcement and Victim Services Division, is pleased to announce the release of the Violence Against Women Legal Training (LV) Program – Request for Application (RFA) for Fiscal Year 2010/2011.

The grant period will begin July 1, 2010 and end June 30, 2011. The total amount available for the Violence Against Women Program is approximately \$313,405. Cal EMA makes these funds available through the Violence Against Women Act (VAWA) S*T*O*P Formula Grant Program. Please note: continuation funding is contingent on availability of the federal funds, successful project performance, and compliance with the grant award agreement.

To receive funding, the application should be received or postmarked by **Friday, April 30, 2010**. The RFA includes instructions for mailing the application.

Should you have questions, please contact Dennis Hall, Program Specialist, by telephone at (916) 323-1569 or by e-mail at Dennis.Hall@calema.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Murphy', is positioned above the printed name of the signatory.

Brendan A. Murphy
Director of Grants Management

VIOLENCE AGAINST WOMEN LEGAL TRAINING (LV) PROGRAM

TABLE OF CONTENTS

[Printable Version](#)

I. OVERVIEW

A.	INTRODUCTION.....	1
B.	CONTACT INFORMATION.....	1
C.	APPLICATION DUE DATE AND SUBMISSION OPTIONS	2
D.	ELIGIBILITY	2
E.	FUNDS.....	2
F.	PROGRAM INFORMATION.....	3

II. RFA INSTRUCTIONS

A.	PREPARING AN APPLICATION	5
B.	PROJECT NARRATIVE	5
1.	Problem Statement.....	5
2.	Plan	6
C.	PROJECT BUDGET	6
1.	Budget Narrative.....	7
2.	Specific Budget Categories	7
D.	APPLICATION APPENDIX	9

III. POLICIES AND PROCEDURES

A.	FINALIZING THE GRANT AWARD AGREEMENT	10
1.	Standard Project Funding Authority.....	10
2.	Processing Grant Awards.....	10
B.	ADMINISTRATIVE REQUIREMENTS	11
1.	The <i>Recipient Handbook</i>	11
2.	Internet Access.....	11
3.	Progress Reports and Data Collection	11
4.	Monthly/Quarterly Report of Expenditures/Request for Funds.....	11
5.	Technical Assistance/Site Visits	11
6.	Monitoring Requirements	12
7.	Audit Requirements.....	12
8.	Source Documentation	12
9.	Bonding Requirements.....	12
10.	Copyrights, Rights in Data, and Patents.....	12
C.	BUDGET POLICY	13
1.	Supplanting Prohibited	13
2.	Project Income.....	13
3.	Methods of Contracting and/or Procurement.....	13
4.	Match Requirements	13
5.	Travel Policies	14
6.	Participating Staff	16
7.	Independent Contractor/Consultant Services.....	16
8.	Facility Rental	17
9.	Rented or Leased Equipment.....	17
10.	Indirect Costs/Administrative Overhead	17
11.	Audits.....	17
12.	Equipment	18

13. Prohibited Expense Items.....	19
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IV. [Attachments](#)

APPLICATION FORMS (including web links)	21
GLOSSARY OF TERMS	22

VIOLENCE AGAINST WOMEN LEGAL TRAINING (LV) PROGRAM

PART I – OVERVIEW

- A. INTRODUCTION
 - B. CONTACT INFORMATION
 - C. APPLICATION DUE DATE AND SUBMISSION OPTIONS
 - D. ELIGIBILITY
 - E. FUNDS
 - F. PROGRAM INFORMATION
-

A. INTRODUCTION

This Request for Application (RFA) provides the information and forms necessary to prepare an application for California Emergency Management Agency (Cal EMA) grant funds. The terms and conditions described in this RFA supersede previous RFAs and conflicting provisions stated in the *Recipient Handbook*. The *Recipient Handbook* provides helpful information for developing the application and is accessible on our website at www.CalEMA.ca.gov. Look on the left side of the Cal EMA homepage under “Quick links” for the *Criminal Justice Programs Recipient Handbook* or scroll over the “Justice Programs” tab, select “Grant Applications & Proposals (RFAs/RFPs),” and then look under the “Related Links” section for *Recipient Handbooks*.

Annual VAWA STOP Report Requirement: In addition to Cal EMA required semi-annual Progress Reports, the U.S. Department of Justice’s Office of Violence Against Women (OVW) requires all VAWA S*T*O*P recipients to complete the S*T*O*P Violence Against Women (VAW) Formula Grant Program Annual Progress Report for the preceding calendar year (January 1st – December 31st). Each year, the federal DOJ provides Cal EMA with the on-line link. You may obtain it by contacting your Cal EMA Program Specialist. Upon completion of data entry, please scroll to the end of the report and select “validate.” The program will then review the data and identify any errors or “red flag” items. Once the report has been verified with no errors it must be submitted electronically, via e-mail, to the recipient’s Program Specialist for review no later than January 31st. Cal EMA must then review and compile the data and incorporate it into the state’s Final Report to OVW. Submission of the required data is essential for continued VAWA S*T*O*P funding for California. Questions regarding the completion of either the Cal EMA Progress Report or the S*T*O*P VAW Formula Grant Program Annual Report should be directed to the recipient’s Program Specialist.

B. CONTACT INFORMATION

Questions concerning this RFA, the application process, or programmatic issues should be submitted by telephone, fax, or e-mail to:

Dennis Hall, Program Specialist
(916) 323-1569
(916) 327-5674 Fax
Dennis.Hall@calema.ca.gov

C. APPLICATION DUE DATE AND SUBMISSION OPTIONS

One original and one copy of the application must be delivered to Cal EMA's Public Safety and Victim Services Division by the date and time indicated below. Submission options are:

Regular or overnight mail, postmarked by **April 30, 2010** OR hand delivered by **5:00 p.m. on April 30, 2010** to:

California Emergency Management Agency
Public Safety and Victim Services Programs Division
Criminal Justice Programs
3650 Schriever Avenue
Mather, CA 95655
Attn: Violence Against Women Legal Training Program (LV), Children's Section

D. ELIGIBILITY

To receive funding under this program, the applicant must be currently operational and receiving California Emergency Management Agency grant funding for the Violence Against Women Legal Training (LV) Program. The only agency eligible to apply is the California District Attorneys Association (CDA).

E. FUNDS

1. Grant Period

The grant period funded by this application is for a twelve (12) month period beginning July 1, 2010 and ending June 30, 2011. The budget must reflect the full 12-month grant period.

2. Funding Source

The federal S*T*O*P (Services*Training*Officers*Prosecutors) Violence Against Women Formula Grant program, created by the Violence Against Women Act (VAWA), supports this program. The program is designed to promote a coordinated, multidisciplinary approach to improving the criminal justice system's response to violent crimes against women. The S*T*O*P Program encourages the development and strengthening of effective law enforcement and prosecution strategies. These strategies address violent crimes against women, and the development and strengthening of victim services in cases involving violent crimes against women. The federal Office of Violence Against Women clarified the program does not prohibit male or minor victims of domestic violence, dating violence, sexual assault and/or stalking from receiving benefits and services under this program.

3. Funding Amount

Cal EMA anticipates there will be approximately **\$313,405** available to fund the LV Program in Fiscal Year (FY) 2010/11. Continuation funding is contingent upon approval of the FY 2010/11 State Budget Act, availability of federal VAWA S*T*O*P funds, and the project's continuing compliance with the terms of the program. The allocation is a provisional amount based on last year's award. If the funding amount changes, you will be required to submit new budget pages.

4. Match Requirement

The federal funding source requires a twenty-five percent (25%) match based on the Total Project Cost formula. The match may be either cash or in-kind contributions of services or goods. Matching

funds (cash or in-kind) are restricted to the same uses as VAWA S*T*O*P grant funds. Federal monies must not be used to meet the VAWA S*T*O*P match requirement for this grant. Match specified in the budget will become part of the grant award. The budget pages must clearly identify line-items designated as match. **Federal monies cannot not be used to meet VAWA S*T*O*P match requirement for this grant.**

F. PROGRAM INFORMATION

1. Program/Purpose Description

The purpose of this program is to provide quality training, develop publications and other material on prosecution of crimes against women for prosecutors throughout California. Specific tasks include:

- **Maintaining an Information and Referral Database** reflecting a balanced cadre of experts on domestic/dating violence, sexual assault, stalking, and elder abuse for referral to prosecutors and allied professionals seeking case consultation, trainers, conference speakers, etc.
- **Distributing publications** on violence against women to include, but not limited to: *Home Front, Un-silenced, Sexual Assault Investigation and Prosecution Manual* and updates, the *Domestic Violence Investigation and Prosecution Manual* and updates, and the *Investigation and Prosecution of Stalking and Threats Crime Manual* and updates;
- **Maintaining a Violence Against Women Brief Bank** with equal focus on domestic/dating violence, sexual assault, stalking, and elder abuse;
- **Developing and/or updating and distributing prosecution training manual and material** with equal focus on domestic/dating violence, sexual assault, stalking, and elder abuse;
- **Maintaining a DVD-Video Film Bank** with equal focus on domestic/dating violence, sexual assault, stalking, and elder abuse, by making current videos available to prosecutors and through the purchase of additional video resources;
- **Ensuring the CDAA Violence Against Women Director's position** coordinates these and other activities to fulfill the program purpose;
- **Reporting on Sexual Assault Prosecution Seminars** to the State Advisory Committee on Sexual Assault Victim Services (SAC) to include proposed seminar content and an evaluation summary following completion of the seminars. A copy of the *Sexual Assault Seminar Manual* is to be provided to the SAC members on a yearly basis;
- **Submitting 20 copies of the 2009/10 Minimum Continuing Legal Education (MCLE) Training Schedule** to Cal EMA;
- **Submitting topics, sites, and dates** to Cal EMA 30 days prior to the registration deadline for seminars not fully detailed in the 2007/08 MCLE Training Schedule;
- **Submitting copies of 2009/10 MCLE Training Seminar evaluations** to Cal EMA along with an Evaluation Summary, from all seminars within 60 days completion of the seminar or as soon as completed; and

- Original publications (written, visual, or sound) produced in whole or in part with VAWA S*T*O*P funds must contain the following statement:

This project was supported by Grant No. _____ awarded by the Office on Violence Against Women, U.S. Department of Justice, and through Grant Award Number _____ from the California Emergency Management Agency (Cal EMA). Points of view, opinions, findings, and conclusions in this publication are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice or of Cal EMA. Cal EMA reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, and use these materials and to authorize others to do so.

Section 5120 of the *Recipient Handbook* requires projects to notify Cal EMA 60 calendar days in advance of intended publications. For this particular grant program, the original publications must be submitted to Cal EMA for review and approval. Cal EMA is required to submit one copy of reports and proposed publications resulting from this grant award to the Office on Violence Against Women twenty (20) days prior to public release.

VIOLENCE AGAINST WOMEN LEGAL TRAINING (LV) PROGRAM

PART II – RFA INSTRUCTIONS

- A. PREPARING AN APPLICATION
 - B. PROJECT NARRATIVE
 - C. PROJECT BUDGET
 - D. APPLICATION APPENDIX
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A. PREPARING AN APPLICATION

The instructions in this section correspond to each of the application components and to the forms required to complete the application.

The applicant must use the forms provided in Part IV of this RFA or on our website at www.CalEMA.ca.gov. The forms must be printed on plain white 8½" x 11" paper for the application. The Project and Budget Narrative templates provided on the website are formatted to Cal EMA standards. If you create your own Project and/or Budget Narrative forms, the format must duplicate the Cal EMA templates and not allow for more space than provided by Cal EMA. If a space limitation is specified for a component, strict adherence to the space limitation is required.

Please provide the 8 required application components in the order listed below:

- Application Cover Sheet (included in Part IV)
- Grant Award Face Sheet (Cal EMA 2-101) *List VAWA 2010 funds in Federal column.*
- Project Contact Information (Cal EMA 2-102)
- Signature Authorization and Instructions (Cal EMA 2-103)
- Certification of Assurance of Compliance – VAWA (Cal EMA 2-104)
- Project Narrative (Cal EMA 2-108)
- Project Budget (Including the Budget Narrative (Cal EMA 2-107) and the Budget Forms (Cal EMA 2-106 a-c)
- Application Appendix (refer to Part II, D)

NOTE: Pay special attention to the required forms. Failure to submit the correct forms will result in the application being returned.

Copies of the application must be assembled separately and individually fastened in the upper left corner. ***Do not bind the application.***

B. PROJECT NARRATIVE

The project narrative is the main body of information describing the problem to be addressed, the plan to address the identified problem through appropriate and achievable objectives and activities, and the ability of the applicant to implement the plan.

1. Problem Statement

Please update the Problem Statement section, current accomplishments, and identify continuing areas of need.

2. Plan and Implementation

Plan: This section of the project narrative should present the project's plan to address the current problem. Describe the elements required for plan development, such as goals, objectives, activities or timelines. All goals should have measureable results.

Mandatory Objectives:

Objective 1: Provide prosecutor training seminars.

- Number of prosecutor training seminars CDAA will provide during FY2010/11.

Objective 2: Develop and produce periodicals and other publications for prosecutors and allied professionals.

- Number of periodicals and other publications to be produced during FY2010/11.

Objective 3: Provide referrals to prosecutors and allied professionals.

- Number of referrals made in FY 2010/11.

Objective 4: Provide introductory orientation materials for prosecutors newly assigned to domestic/dating violence, sexual assault, stalking, and/or elder abuse related prosecutor positions.

- Number of orientation materials to be provided in FY2010/11.

Objective 5: Expand and update the Violence Against Women Computer Bank.

- Number of new briefs to be added to the database in FY2010/11.

Objective 6: Include the California Partnership to End Domestic Violence in all advertisements of CDAA Training.

Objective 7: Incorporate into the existing curriculum's evaluations, the request for information as to what other types of trainings each participant believes is needed.

Objective 8: Incorporate into the existing curriculum, discussions of the importance of Multi-disciplinary team approaches.

Objective 9: Incorporate information into the curriculum addressing cultural context on approaches and services that are culturally and linguistically appropriate for victims/survivors from diverse communities, e.g. both genders, faith and religion, range of ages – elderly, and Lesbian-Bisexual-Gay-Transgender-Queer (LBGTQ).

Objective 10: Incorporate into the existing curriculum, the ideas advanced by CDAA in its concept paper titled, "Vertical Prosecution Coaching Team Concept Paper".

C. PROJECT BUDGET

The purpose of the project budget is to demonstrate how the applicant will implement the plan with the funds available through this program. The budget is the basis for management, fiscal review, and audit. Project costs must be directly related to the objectives and activities of the project. The budget

must cover the entire grant period. In the budget, include **only** those items covered by grant funds, including match funds when applicable. Projects may supplement grant funds with funds from other sources. However, since approved line items are subject to audit, applicants should not include in the project budget matching funds (if applicable) in excess of the required match. Budgets are subject to Cal EMA modifications and approval.

Cal EMA requires the applicant to develop a **line item** budget which will enable the project to meet the intent and requirements of the program and ensure the successful and cost effective implementation of the project. The applicant should prepare a realistic and prudent budget avoiding unnecessary or unusual expenditures which detract from the accomplishment of the objectives and activities of the project.

Note: The following information is provided to assist in the preparation of the budget:

- Strict adherence to required and prohibited items is expected.
- Where the applicant does not budget for a required item, the applicant assumes responsibility.
- Failure of the applicant to include required budget items does not eliminate responsibility to comply with those requirements during the implementation of the project.

The applicant should refer to the *Recipient Handbook* for additional information concerning Cal EMA budget policy or to determine if specific proposed expenses are allowable. The *Recipient Handbook* is accessible on our website at www.CalEMA.ca.gov. Look on the left side of the Cal EMA homepage under “Quick links” for the *Criminal Justice Programs Recipient Handbook* or scroll over the “Justice Programs” tab, select “Grant Applications & Proposals (RFAs/RFPs),” and then look under the “Related Links” section for *Recipient Handbooks*. Should you have additional budget questions, contact the person listed in Part I, B.

1. Budget Narrative

The applicant is required to submit a narrative with the project budget. The narrative must be typed and placed in the application preceding the budget pages, describing:

- how the project's proposed budget supports the Program's objectives and activities;
- how funds are allocated to minimize administrative costs and support direct services;
- the duties of project-funded staff, including qualifications or education level necessary for the job assignment (this does not take the place of the brief justification required in the line item budget);
- how project-funded staff duties and time commitments support the proposed objectives and activities;
- proposed staff commitment/percentage of time to other efforts, in addition to time allocated to this project;
- the necessity for subcontracts and unusual expenditures; and
- the mid-year salary range adjustments.

2. Specific Budget Categories

In Part IV of this RFA, or on our website, you can access Excel spreadsheets for each of the following three budget categories:

- a. Personal Services – Salaries/Employee Benefits (Cal EMA 2-106a) (formerly OES A303a)

1) Salaries

Personal services include services performed by project staff directly employed by the applicant and must be identified by position and percentage of salaries. They may be salaried or hourly, full-time or part-time positions. Sick leave, vacation, holidays, overtime, and shift differentials must also be budgeted as a part of salaries. If the applicant's personnel have accrued sick leave or vacation time prior to the approval of grant funding, they may not take time off using project funds. Salaries for staff not directly employed by the applicant must be shown as participating staff (see *Recipient Handbook*, Section 4500) in the Operating Expenses Category. Consultant services remain under Operating Expenses (refer to Part II, C.2.b. - Operating Expenses - paragraph two.)

2) Benefits

Employee benefits must be identified by type and percentage of salaries. The applicant may use fixed percentages of salaries to calculate benefits. Budgeted benefits cannot exceed those already established by the applicant.

Employer contributions or expenses for social security, employee life and health insurance plans, unemployment insurance, and/or pension plans are allowable budget items. Benefits, such as uniforms or California Bar Association dues are allowable budget items if negotiated as a part of an employee benefit package.

A line item is required for each different position/classification, but not for each individual employee. If several people will be employed full-time or part-time in the same position/classification, provide the number of full-time equivalents (e.g., three half-time clerical personnel should be itemized as 1.5 clerical positions).

b. Operating Expenses (Cal EMA 2-106b) (formerly OES A303b)

Operating expenses are defined as necessary expenditures other than personal salaries, benefits and equipment. Such expenses may include specific items directly charged to the project, and in some cases, when permitted by the funding source, an indirect cost allowance. The expenses must be grant-related (i.e., to further the program objectives as defined in the grant award) and be encumbered during the grant period.

The following items fall within this category: **consultant services such as subcontractors**, participating staff who are not employed by the applicant, travel, office supplies, training materials, research forms, equipment maintenance, software equipment rental/lease, telephone, postage, printing, facility rental, vehicle maintenance, answering service fees and other consumable items. Furniture and office equipment with an acquisition cost of less than \$5000 (including tax, installation, and freight) and/or with a useful life of less than one year fall within this category. Otherwise, these fall under equipment expenses.

Salaries for staff not directly employed by the applicant must be shown as consultant and/or participating staff costs (whichever is applicable per *Recipient Handbook* Sections 3710 and 4500), under the Operating Expenses category. These costs must be supported by an Operational Agreement (OA), which must be kept on file by the recipient and made available for review during a Cal EMA site visit, a monitoring visit, or an audit. In the case of grants being passed through a recipient to be operated by another agency, the staff from the second agency will be shown in the Operating Expenses Category.

Budget for anticipated training related to the project. The applicant must include sufficient per diem and travel allocations for person(s) to attend required Cal EMA training conferences or workshops.

c. Equipment (Cal EMA 2-106c) (formerly OES A303c)

Equipment is defined as nonexpendable tangible personal property having a useful life of more than one year and an acquisition cost of \$5000 or more per unit (including tax, installation, and freight).

A line item is required for different types of equipment, but not for each specific piece of equipment (e.g., three laser jet printers must be one line item, not three).

NOTE: The left column of each budget category on the Spreadsheet requires line item detail including the calculation and justification for the expense. Enter the **whole dollar amount only** (no cents) on each line item and the match amount (if applicable) in the correct column of the Budget Category form. You may add extra rows if necessary. The spreadsheets automatically calculate the subtotal at the end of each budget category and provide the total of the three spreadsheets at the bottom of the Equipment page. The total of the budget including each funding source and/or match amount must correspond to the amount of the Total Project Cost (Block 10G) on the Grant Award Face Sheet.

D. APPLICATION APPENDIX

The application appendix provides Cal EMA with additional information from the applicant to support components of the application. The following must be included:

- **Organizational Chart:**
The Organizational Chart should clearly depict the structure of the applicant organization and the specific unit within the organization responsible for the implementation of the project. This chart should also depict supporting units within the organization (e.g., the Accounting Unit) and the lines of authority within the organization. Job titles on the Organizational Chart must match those in the Budget and Budget Narrative.
- [Operational Agreement \(OA\):](#)
OAs must contain original signatures, titles, and agency names for both parties and include dates effective for the proposed grant period. These documents must demonstrate a formal system of networking and coordination with other agencies and the applicant. A sample OA can be accessed by selecting the title above.
- Project Summary (Cal EMA 2-150)
- Noncompetitive Bid Request (Cal EMA 2-156) [if applicable]
- Out of State Travel Request (Cal EMA 2-158) [if applicable]
- Project Service Area Information (Cal EMA 2-154)
- Computer and Automated Systems Purchase Justification Guidelines (Cal EMA 2-157)

VIOLENCE AGAINST WOMEN LEGAL TRAINING (LV) PROGRAM

PART III – POLICIES AND PROCEDURES

NOTE: The applicant is strongly encouraged to review the following sections before preparing the application.

- A. FINALIZING THE GRANT AWARD AGREEMENT
- B. ADMINISTRATIVE REQUIREMENTS
- C. BUDGET POLICY

A. FINALIZING THE GRANT AWARD AGREEMENT

1. Standard Project Funding Authority

Allocation of funds is contingent on the enactment of the State Budget. Cal EMA does not have the authority to disburse funds until the budget is passed and the Grant Award Agreement is fully executed. Expenditures incurred prior to authorization are made at the project's own risk and may be disallowed. Cal EMA employees are not able to authorize an applicant to incur expenses or financial obligations prior to the execution of a Grant Award Agreement. However, once the Grant Award Agreement is finalized the Grant Recipient may claim reimbursement for expenses incurred on, or subsequent to, the start of the Grant Award period.

If, during the term of the grant award, the state and/or federal funds appropriated for the purposes of the grant award are reduced or eliminated by the California Legislature or the United States Government, or in the event revenues are not collected at the level appropriated, Cal EMA may immediately terminate or reduce the grant award by written notice to the recipient. However, no such termination or reduction shall apply to allowable costs already incurred by the recipient to the extent state or federal funds are available for payment of such costs.

Cal EMA Grant Award Agreements are subject to applicable restrictions, limitations, or conditions enacted by the California Legislature and/or the United States Government, subsequent to execution of the Grant Award Agreement.

2. Processing Grant Awards

a. Grant Award Conditions

Cal EMA may add grant award conditions to the Grant Award Agreement prior to or after funding. If conditions are added, these will be discussed with the applicant and a copy of the conditions will be sent to the grant recipient when the conditions are made part of the Grant Award Agreement. Grant award conditions may include requirements for sole source justification, a computer feasibility study, or other requirements deemed necessary by Cal EMA.

b. Grant Award Agreement

A copy of the executed Grant Award Agreement and pertinent attachments will be sent to the Project Director. The applicant is not authorized to incur costs against the grant until a copy of the fully executed Grant Award Agreement is received. When the executed grant is received a Report of Expenditures and Request for Funds (Cal EMA 2-201) may be submitted for reimbursement.

c. Grant Award Amounts

When the amount of funds available is limited, Cal EMA may reduce the amount of the grant award from the amount requested by the applicant. In addition, Cal EMA reserves the right to negotiate budgetary changes with the applicant prior to executing the Grant Award Agreement. If either of these actions is required, Cal EMA will notify the applicant prior to executing the Grant Award Agreement.

B. ADMINISTRATIVE REQUIREMENTS

The following requirements apply to projects selected for funding and are explained below for the recipient's planning purposes.

1. The *Recipient Handbook* (RH)

The *Recipient Handbook* is accessible on our website at www.CalEMA.ca.gov. Look on the left side of the Cal EMA homepage under 'Quick links' for the Criminal Justice Programs Recipient Handbook or scroll over the "Justice Programs" tab, select "Grant Applications & Proposals (RFAs/RFPs)," and then look under the "Related Links" section for "*Recipient Handbooks*". The *Recipient Handbook* contains administrative information and requirements necessary to implement the project. Recipients must administer their grants in accordance with the *Recipient Handbook* requirements. Failure to comply with these requirements can result in the withholding or termination of the grant award.

2. Internet Access (RH 11500)

Funded projects are required to maintain Internet access with an established e-mail address. Grant funds may be used for this purpose unless specifically prohibited by the RFA instructions.

3. Progress Reports and Data Collection (RH 10100)

Funded projects are required to participate in data collection and to submit progress reports required by the program. Projects are required to keep accurate records to document the information reported in the progress reports. The records must be kept by the project for a period of three years. During site/monitoring visits, Cal EMA will review these records for accuracy and compare them with the reported data submitted on the progress reports.

4. Monthly/Quarterly Report of Expenditures/Request for Funds (RH 6300)

Community-based organizations (CBOs) shall submit a monthly Report of Expenditures and Request for Funds (Cal EMA 2-201) unless they request a quarterly reporting period. Government and education agencies receiving funds will be required to report on a quarterly basis. This form is due within 30 calendar days of the end of the reporting period and must be submitted whether or not the project has incurred expenses. Delays in submitting the form Cal EMA 2-201 will result in the withholding of funds and may result in the recommendation to Cal EMA's Executive Secretary for termination of the grant award.

5. Technical Assistance/Site Visits (RH 10300)

Funded projects are assigned a Cal EMA program specialist to oversee the progress of the project in achieving its goals, objectives and compliance with the Grant Award Agreement. Program specialists are available to assist the recipient in the successful implementation of the project and in meeting the administrative requirements of the Grant Award Agreement. New projects should

expect a site visit from the assigned program specialist within the first six months of the grant period. Follow-up site visits will be conducted periodically throughout the life of the grant. Projects may request a site visit to obtain technical assistance.

6. Monitoring Requirements (*RH 10400*)

A monitoring visit is an onsite assessment by staff to determine if the project is in compliance with the terms of the program, the Grant Award Agreement, the Program Guidelines, the RFA/RFP, and the Recipient Handbook. Projects will be monitored on a random or as-needed basis.

7. Audit Requirements (*RH 8100*)

To safeguard Cal EMA assets and to ensure that all funds are accounted for, Cal EMA requires that organizations receiving Cal EMA grant award(s) be audited in accordance with Recipient Handbook section 8100.

8. Source Documentation (*RH 10111*)

Recipients will be required to maintain source documentation to support claimed expenditures and project accomplishments. Source documentation is defined as records used to validate project activities and achievements pertaining to the objectives outlined in the Grant Award Agreement. Recipients are to retain source documentation for progress reports on a quarterly basis, regardless of submission requirements. Requirements and definitions for program specific source documentation are delineated in the RFA instructions. Recipients will be required to have written job descriptions on file for positions funded by Cal EMA detailing specific grant-related activities to achieve project objectives.

9. Bonding Requirements (*RH 2160*)

Private community-based organizations and American Indian organizations are required to obtain and send to Cal EMA a copy of a blanket fidelity bond or equivalent insurance contract applicable to officials and employees of Cal EMA-funded projects within 60 days of the signed Grant Award Agreement. Failure to comply with this requirement may result in the withholding of grant funds or termination of the Grant Award Agreement. The beneficiary named on the bond or an endorsement must include the "State of California, California Emergency Management Agency" and include the Grant Award number for identification purposes.

The time period covered by the bond must include the effective date and total time period of the grant, including extensions. The bond must be in an amount equal to 50 percent (50%) of the total grant award and may have a deductible in an amount not to exceed one percent (1%) of the bond.

A bond is not required of a recipient sponsored by units of government. CBOs sponsored by units of government may submit documentation indicating this in lieu of the bond or insurance contract, unless specifically required terms of the program or grant award conditions.

10. Copyrights, Rights in Data, and Patents (*RH 5300-5400*)

Cal EMA owns rights of and reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, and use, in whole or in part, material produced by activities supported by a Grant Award Agreement. These ownership rights are detailed in the Recipient Handbook.

C. BUDGET POLICY

This document summarizes information on Cal EMA Budget Policy contained in the *Recipient Handbook*. Additional information may be obtained by accessing the Recipient Handbook at www.CalEMA.ca.gov. Look on the left side of the Cal EMA homepage under “Quick links” for the *Criminal Justice Programs Recipient Handbook*, or scroll over the “Justice Programs” tab, select “Grant Applications & Proposals (RFAs/RFPs),” and then look under the “Related Links” section for *Recipient Handbooks*.

1. Supplanting Prohibited (RH 1330)

Grant funds must be used to supplement existing funds for program activities and *not replace* funds appropriated for the same purpose. If selected for funding, a written certification must be provided to Cal EMA indicating grant funds will not be used to supplant existing funds. Potential supplanting will be the subject of application review, post-award monitoring, and audit. The rules on supplanting are found in Section 1330 of the *Recipient Handbook*.

2. Project Income (RH 6610)

Project income, such as client fees and fees for services provided by the recipient (i.e., training, presentations, etc.), asset forfeitures, profits from the sale of project products, and conference proceeds as the result of a direct trade of time or products for money must be used to offset or augment the grant, unless otherwise specified in the RFA instructions. Project income cannot be used as matching funds, unless otherwise specified in the RFA instructions.

3. Methods of Contracting and/or Procurement (RH 3400)

A competitive bid process is required to purchase equipment or consultant services with grant funds. Noncompetitive bid contracts are disfavored. Noncompetitive bid request approval by Cal EMA program staff is required prior to the purchase of equipment in excess of \$5,000, or to hire a specific consultant charging over \$5,000. Local units of government may use their approved procurement policy except for contracts over \$50,000 which require prior Cal EMA approval. For organizations without a written procurement policy, a competitive bid process involves determining the specifications for the items needed and obtaining at least three bids from different vendors. Whenever a specific individual/organization name is identified in the project budget, a narrative describing the competitive bid process or a sole-source procurement (noncompetitive bid) request will be required. Cal EMA will provide assistance in submitting a noncompetitive bid request if the proposal is selected for funding and if Cal EMA determines it is in the best interest of the project. These procedures do not apply to funds shared with participating agencies under the terms of an Operational Agreement (see Section 4500, *Recipient Handbook*).

4. Match Requirements (RH 6500)

The RFA Instructions (Part II) may specify a cash or in-kind match. When used to augment the project, expenditures for items such as Personal Services, Operating Expenses or Equipment are considered match if not in violation of the prohibition on supplanting. Match must be specified in the budget and will become part of the Grant Award Agreement. Specific instructions for calculating the match are provided below. There are examples of how to calculate the match requirement in Sections 6550-6550.2 of the *Recipient Handbook*.

a. State Funds Matching State or Federal Funds (RH 6522)

State and/or federal funds can be used to match other state and/or federal funds *only* if the following conditions have been met:

- 1) the other funding source does not prohibit this practice;
- 2) the funds are to be used for identical activities (e.g., to augment the project); and
- 3) the project has obtained prior written approval from Cal EMA or the terms of the program allow this practice.

b. Type of Match

1) Cash Match (*RH 6511*)

Cash match, also known as hard match, is often derived from the local funding resources committed to a project such as county general fund revenue, United Way contributions, private donations or profits from fund-raising events. When used to augment the project, cash expenditures for items such as personnel, facilities and supplies may be considered cash match if not in violation of the prohibition on supplanting. A cash match must be specifically identified by line item as match in the budget.

2) In-Kind Match (*RH 6512*)

In-kind match, also known as soft match, refers to goods and services which are contributed to the project, have a dollar value attached to them, and are also budgeted. In-kind contributions represent the project's non-cash outlay, including the non-cash outlay contributed by other public agencies and institutions, private organizations, and individuals. Examples include the donation of goods and volunteer time. In general, the value of in-kind contributions is determined by fair market value, which must be separately identified in the budget.

5. Travel Policies (*RH 2236*)

The following is Cal EMA's current travel policy:

a. Travel and Per Diem (*RH 2236*)

The applicant may prepare the budget using its own travel policy or the state travel policy according to the following guidelines. Travel reimbursement will only be allowed based on actual costs.

1) Units of Government

Units of government may use their own written travel policy or the state policy.

2) Community-Based Organizations (CBOs)

A community-based organization may use the state travel policy or the applicant's written policy up to the maximum rates allowed by the state travel policy.

b. State Travel and Per Diem Policy (*RH 2236.2*)

Use the following state travel policy for budgeting travel expenses:

1) Out-of-State Travel

Out-of-state travel is restricted and only allowed in exceptional situations. Requests for approval for out-of-state travel must be submitted for Cal EMA approval.

2) Meals and Incidentals

a) Breakfast \$6.00

Breakfast may be claimed when travel commences at or prior to 6:00 a.m. Breakfast may be claimed on the last fractional day of a trip of more than 24 hours if travel terminates at or after 8:00 a.m.

b) Lunch \$10.00

Lunch may not be claimed for travel less than 24 hours. Lunch may be claimed if the trip begins at or before 11:00 a.m. and may be claimed on the last fractional day of a trip of more than 24 hours if the travel terminates at or after 2:00 p.m.

c) Dinner \$18.00

Dinner may be claimed if the trip begins at or before 5:00 p.m. Dinner may be claimed when travel terminates at or after 7:00 p.m., whether on a one-day trip or on the last day of a trip of more than 24 hours.

d) Incidentals \$6.00

Incidentals may be claimed for trips of 24 hours or more.

e) Total Per Diem

The maximum is \$40.00 for a 24-hour period.

3) Lodging

The maximum allowed lodging expense is \$84.00, plus applicable taxes, (except as noted below). Lodging receipts are required for reimbursement.

4) Special Lodging Rates

The maximum allowed lodging rate in Los Angeles and San Diego counties is \$110.00, plus applicable taxes. The maximum for Alameda, San Francisco, San Mateo, and Santa Clara counties is \$140.00, plus applicable taxes.

5) Mileage

When a privately owned vehicle is utilized on project-related business, a maximum of 50 cents per mile is allowed, unless a higher rate is justified. Documentation justifying a higher rate must be on file and available for audit, but should not be submitted with the application.

6) Other

Taxi, airport shuttle, etc., which exceed \$3.50 must be supported by receipt. Parking in excess of \$10.00 must be supported by receipt.

6. Participating Staff (*RH 4500*)

The term “participating staff” refers to salaried employees of a participating agency assigned to work with the recipient on the implementation of a project. The agreement between the recipient and the participating agency concerning participating staff must be reflected in the OA. Grant related costs associated with participating staff must be itemized in the Operating Expenses category of the grant budget.

7. Independent Contractor/Consultant Services (*RH 3710*)

Consultant services are provided on a contractual basis by individuals or organizations not directly employed by the applicant. Independent contractors must not be used in lieu of employees. Independent contractors are defined as individuals or organizations meeting some or all of the following criteria:

- produce a specific product or service;
- work independently without direct supervision from the applicant;
- work on specific projects;
- provide services for a limited number of hours or period of time; and/or
- have no agency management or oversight responsibilities directed toward the financial success or direction of the agency

a. Rates (*3710.1*)

The maximum rate for independent contractors is \$250.00 per hour (excluding travel and subsistence costs). Compensation over \$250.00 per hour requires additional justification and **prior approval** from Cal EMA.

1) Independent Contractors Employed by State and Local Government

Compensation for independent contractors will be allowed when the unit of government will not provide its services without cost. In these cases, the rate of compensation is not to exceed the daily salary rate paid by the unit of government.

b. Expert Witness Fees (*RH 3710.2*)

Projects, which routinely utilize “expert witnesses” as independent contractors to conduct evaluations and provide expert testimony in the courtroom, may budget for this expense. However, the project may only be charged for costs above what the jurisdiction is required to cover. The maximum allowable rate for such witness fees is \$250.00 per hour up to \$2,000 per day. The total amount budgeted for expert witness fees must not exceed ten percent (10%) of the project’s total budget. Requests for proposed expert witness costs must be accompanied by written justification indicating the following:

- qualifications, training, and experience of the expert(s), including a statement regarding recognition by the court of the individual as an expert;

- specialized certification/licensure [e.g., Masters in Social Work (MSW); Licensed Clinical Social Worker (LCSW), Marriage and Family Therapist (MFT); Medical Doctor (MD)];
- rate of pay per hour including documentation of a survey of the availability of similar consultants, the current “going rate,” and the proposed rate of pay with a cost breakdown if expert is paid according to services (e.g., mileage, waiting time, court testimony);
- proposed services to be provided (e.g., analysis of forensic evidence, psychological evaluation); and
- justification why this cost cannot be paid with other funds [attach the justification to Cal EMA 2-106 (formerly OES A303b)].

8. Facility Rental (*RH 2232*)

Up to \$21.00 per square foot annually (\$1.75 per square foot per month) is allowed for facility rental. If the rental cost for office space exceeds this rate, it must be consistent with the prevailing rate in the local area. This documentation must be on file and available for audit and should not be submitted with the application.

a. Rental Space for Training and Counseling Rooms (*RH 2232.1*)

Rental space for training and individual and/or group counseling rooms may also be charged to the grant, providing the charge is based on actual costs and not reimbursed by another source.

9. Rented or Leased Equipment (*RH 2233*)

An explanation and cost analysis is required when equipment is rented or leased. This analysis must demonstrate that it is more cost-effective to rent or lease the equipment than it is to purchase it, and must be approved by Cal EMA prior to the execution of a rental or lease agreement.

10. Indirect Costs/Administrative Overhead (*RH 2220*)

Indirect costs are those not readily itemized or assignable to a particular project, but necessary to the operation of the organization and the performance of the project. The costs of operating and maintaining facilities, accounting services, and administrative salaries are examples of indirect costs. Flat rates not exceeding ten percent (10%) of personnel salaries (excluding benefits and overtime) or five percent (5%) of total direct project costs (excluding equipment) may be budgeted by applicant for indirect costs if allowable by the funding source.

11. Audits (*RH 8150*)

Recipients expending between \$25,000 and \$499,999 in federal or state funds annually cannot use federal funds to reimburse for costs associated with audits. Recipients expending \$500,000 or more in federal grant funds annually are required to secure an audit pursuant to OMB Circular A-133 and are allowed to utilize federal grant funds to budget for the audit costs.

Specifically, the allowable audit costs are as follows:

- if the total project cost is less than or equal to \$150,000, the project may budget up to \$2,000 for the financial audit cost; or
- if the total project cost is greater than \$150,000, the project may budget up to one and a half percent (1.5%) of the total project cost for financial audit costs.

12. Equipment (*RH 2300*)

Equipment is defined as nonexpendable tangible personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit (including tax, installation and freight).

A line item is required for different types of equipment, but not for each specific piece of equipment (e.g., three laser jet printers should be one line item, not three).

a. Allowable Expenses

Equipment used solely for project activities may be budgeted if it is essential to the implementation of the project. Grant funds may not be used to reimburse the recipient for equipment already purchased.

Rented or leased equipment must be budgeted as an Operating Expense. Lease-to-purchase agreements are generally not allowable. If a lease-to-purchase is requested, the project will be required to submit justification, including cost-effectiveness, with the Grant Award Forms Package. Prior approval by Cal EMA is required.

b. Computers and Automated Equipment (*RH 2340*)

1) Community-Based Organizations (*RH 2342.1*)

Community-based organizations may budget up to \$25,000 in computer equipment, software, and related costs. Justification will be required if the proposal is selected for funding. Cal EMA will evaluate the proposed purchase on the basis of grant-related need. Prior approval by Cal EMA is required.

2) Units of Government (*RH 2342.2*)

Units of government may budget for computer equipment, software, and related costs. Justification will be required if the proposal is selected for funding. Cal EMA will evaluate the proposed purchase on the basis of grant-related need. Cal EMA must give approval prior to purchase. If federal grant funds totaling in excess of \$100,000 are used for automated data processing purchases, prior federal approval is also required.

3) Computer Purchase Justification (*RH 2341*)

Approval for purchases of computers and automated equipment is contingent on the applicant's ability to demonstrate cost-effective, project-related need which is best demonstrated by clearly relating each computer system or component to the grant objectives and activities. If selected for funding, the applicant will be sent instructions for preparing the justification.

c. Automobiles (*RH 2331*)

Automobiles are not allowable items unless permitted by the terms of the program. If an automobile is included in the budget, substantial justification demonstrating the grant-related need will be required before finalization of the Grant Award Agreement. The justification must describe the need for the automobile, including the size of service area, the need to provide direct service away from the office, and the reason why the agency will not allow personal automobile usage during work hours. A cost analysis for automobile purchase, as compared to other options including lease and personal automobile use and mileage, must be done and

kept on file for review by Cal EMA program staff during a site visit, monitoring visit, and/or audit.

13. Prohibited Expense Items (*RH 2240*)

a. Bonuses and Commissions (*RH 2241*)

Projects are prohibited from paying any bonus or commission to any individual, organization or firm unless specifically authorized by the terms of the program

b. Lobbying (*RH 2242*)

Refer to *RH 2242.1* for an extensive list of prohibited activities.

c. Fundraising (*RH 2243*)

Cal EMA grant funds cannot be used for organized fundraising including financial campaigns, endowment drives, solicitation of gifts and bequests, or similar expenses incurred solely to raise capital or obtain contributions.

d. Real Property and Improvements (*RH 2244*)

Real property, including land, land improvements, structures and their attachments, and structural improvements and alterations are not allowable expenditures unless specifically authorized in the RFA instructions.

e. Interest (*RH 2245*)

The cost of interest payments is only allowable if the cost is a result of a lease/purchase agreement.

f. Charges, Fees, and Penalties (*RH 2245*)

Finance charges, late payment fees, penalties, and returned check charges are not allowable expenditures.

g. Food and Beverages (*RH 2246*)

The cost of food and/or beverages at grant-sponsored conferences, meetings or office functions is not an allowable expenditure.

h. Weapons and Ammunition (*RH 2247*)

The cost of weapons and/or ammunition of any type is not an allowable expenditure, unless it is part of a governmental negotiated benefit package or is specifically authorized in the RFA instructions.

i. Membership Dues (*RH 2248*)

The cost of membership dues for the licensing or credentialing of professional personnel is not an allowable expenditure unless it is part of a governmental negotiated benefit package or is specifically authorized in the RFA instructions.

j. Professional License (*RH 2248*)

The cost of a professional license is not an allowable expenditure unless specifically authorized in the RFA instructions.

k. Annual Professional Dues or Fees (*RH 2248*)

The cost of professional dues or fees is not an allowable expenditure unless it is part of a governmental negotiated benefit package or is specifically authorized by the RFA instructions.

l. Depreciation (*RH 2249*)

Equipment costs may not include additional costs calculated for depreciation.

VIOLENCE AGAINST WOMEN LEGAL TRAINING (LV) PROGRAM

RFA FORMS

Click on one of the links below to access the corresponding form. Save the form to your hard drive before filling it out. To access the complete list of forms go to www.CalEMA.ca.gov, scroll over the “Justice Programs” tab, select “Grant Applications & Proposals (RFAs/RFPs),” then look under the “Related Links” section for “Forms”. Or, paste the following link into your browser:

[http://www.oes.ca.gov/WebPage/oeswebsite.nsf/OESBranchContentPortal?ReadForm&type=Forms&look=Grant%20Applications%20and%20Proposals%20\(RFAs/RFPs\)&Div=Law+Enforcement+and+Victim+Services+\(LEVS\)&Branch=Grant%20Applications%20and%20Proposals%20\(RFAs/RFPs\)Forms](http://www.oes.ca.gov/WebPage/oeswebsite.nsf/OESBranchContentPortal?ReadForm&type=Forms&look=Grant%20Applications%20and%20Proposals%20(RFAs/RFPs)&Div=Law+Enforcement+and+Victim+Services+(LEVS)&Branch=Grant%20Applications%20and%20Proposals%20(RFAs/RFPs)Forms)

[Checklist](#)

[Coversheet](#)

[Grant Award Face Sheet and Instructions \(Cal EMA 2-101\)](#)

[Project Contact Instructions and Information \(Cal EMA 2-102\)](#)

[Signature Authorization and Instructions \(Cal EMA 2-103\)](#)

[Certification of Assurance of Compliance – VAWA \(Cal EMA 2-104g\)](#)

[Application Budget – Budget Narrative \(Cal EMA 2-107\)](#)

[Project Narrative \(Cal EMA 2-108\)](#)

[Budget Forms \(Excel spreadsheet format\) – 2-106c. With 25% Match](#)

[Project Summary \(Cal EMA 2-150\)](#)

[Sample Operational Agreement \(Cal EMA 2-161\)](#)

[Noncompetitive Bid Request Checklist \(Cal EMA 2-156\)](#)

[Out-Of-State Travel Request \(Cal EMA 2-158\)](#)

[Project Service Area Information \(Cal EMA 2-154\)](#)

[Computer and Automated Systems Purchase Justification \(Cal EMA 2-157\)](#)

VIOLENCE AGAINST WOMEN LEGAL TRAINING (LV) PROGRAM**GLOSSARY OF TERMS**

TERM	DEFINITION
Activity	The specific steps or actions that a project takes to achieve a measurable objective.
Administrative Agency or Recipient	The agency or organization designated on the Grant Award Face Sheet (Cal EMA 2-101) is the programmatic Recipient of the grant funds and will accomplish the planned objectives and program goals. The Recipient was formerly referred to as the "Grantee."
Application	Once selected for funding, the original proposal plus any additional forms as required by Cal EMA becomes the application. This application, once signed by Cal EMA and the local government agency or organization authorized to accept grant funding, becomes the Grant Award/Grant Award Agreement (Cal EMA 2-101).
CFR	Code of Federal Regulations
Community-based Organization (CBO)	A nonprofit, public benefit corporation.
Competitive Bid	A contract process used when all suppliers are equally or nearly equally qualified to provide the services.
Equal Employment Opportunity Plan (EEOP)	A comprehensive plan that analyzes the agency's workforce and all agency employment practices to determine their impact on the basis of ethnicity and gender. The objective of the EEOP is to ensure nondiscrimination in all areas of employment (recruitment, hiring, promotions, etc), and in the delivery of services and benefits.
Equal Employment Opportunity (EEO) Checklists	An EEO Checklist is a document used by program staff while conducting site/monitoring visits. The checklists (A and B) were prepared to assist Cal EMA in verifying that recipients are in compliance with State and Federal Civil Rights Laws.
Grant Award Agreement	The signed final agreement between Cal EMA and the local government agency or organization authorized to accept grant funding. (See Application).
Grant Funding Cycle	The number of years a program may be funded without competition. A funding cycle is typically three years.
Grant Funding Period	The period of time, determined by the Request for Proposal (RFA) or the Request for Application (RFA), which the project narrative, objectives, activities, and budget cover. The time period is usually one year, and is shown on the Grant Award Face Sheet (Cal EMA 2-101) (formerly OES A301).
Implementing Agency	The agency or organization designated on the Grant Award Face Sheet that is responsible for the day-to-day operation of the project (e.g., probation department, district attorney, sheriff).

Monitoring Report Response Form	Form sent to the Recipient with the Monitoring report. The form is completed by the Recipient and returned to the Cal EMA Local Assistance Monitoring Branch (LAMB), indicating the Monitoring Report is accurate or inaccurate as of the date of the Monitoring.
Noncompetitive Bid (NB)	A contract for goods or services, where only a single source that can provide the services or goods is afforded the opportunity to offer a price for the specified services or goods. (Contracts sometimes include goods as well as services, and this definition will also apply to those circumstances).
Nonprofit Organization (aka Community-Based Organization)	<p>A nonprofit, public benefit corporation as defined in the federal regulation of 28 C.F.R. Part 38, Department of Justice. This modifies the need to be recognized by the Internal Revenue Service as a 501(c)(3) for recipients of faith-based organizations. All organizations may qualify for nonprofit status using any one of the four following methods:</p> <ol style="list-style-type: none"> (1) Proof that the Internal Revenue Service recognizes the applicant has the status of a 501(c)(3). (2) A statement from a State taxing body or the State Secretary of State certifying that (i) the Organization is a nonprofit organization operating within the State; and (ii) No part of its net earnings may lawfully benefit any private shareholder or individual: (3) A certified copy of the applicant's certificate of incorporation or similar document that clearly establishes the nonprofit status of the applicant; or (4) Any item described in (1) through (3) if that item applies to a State or national parent organization, together with a statement by the State or parent organization that the applicant is a local nonprofit affiliate.
Objectives	A set of quantifiable projections to be carried out in order to accomplish the program goals.
On Site	Refers to the location of operation of the grant award recipient. If multiple sites exist, the site that provides the project recipients with program direction qualifies as the "on site location."
Operational Agreement (OA)	A formal agreement between two or more agencies, which specifies the responsibilities of each agency in implementing the project. The term Operational Agreement also includes documents entitled Memorandum of Understanding, Letters of Intent, or other titles that serve the same purpose.
Participating Agency	An organization that receives grant funds through an Operational Agreement to participate in achieving the goals of a project. The participating agency must be a unit of government or a community-based organization.
Participating Staff	A salaried employee of a Participating Agency.
Program	A specific set of goals and objectives established pursuant to legislative, congressional, or administrative action identifying an unmet need of the criminal justice system or victim services and supported by a set

	appropriation from state or federal funding sources.
Project	The implementation of a Program by a Recipient. The project includes all of the grants implemented by the Recipient under that Program regardless of the year of implementation.
Proposal	The packet of forms and narrative as requested by the RFA and submitted to Cal EMA that specified the priorities, strategies, and objectives of the applicant.
Recipient Handbook	This handbook outlines the terms and conditions required of grant projects. Funded projects must administer their grants in accordance with these administrative and fiscal conditions. The <i>Recipient Handbook</i> is accessible at www.CalEMA.ca.gov . Look on the left side of the Cal EMA homepage under 'Quick links' for the Criminal Justice Programs Recipient Handbook or scroll over the "Justice Programs" tab, select "Grant Applications & Proposals (RFAs/RFPs)," and then look under the "Related Links" section for " <i>Recipient Handbooks</i> ". The <i>Recipient Handbook</i> was previously called the " <i>Grantee Handbook</i> ."
Request for Application (RFA)	The RFA is a noncompetitive process issued by Cal EMA to obtain applications from applicants previously selected for funding.
Request for Proposal (RFP)	The RFP is issued by Cal EMA to solicit competitive proposals in order to select projects for funding.
Single Source	This term has been replaced by the term "noncompetitive bid."
Sole Source	This term has been replaced by the term "noncompetitive bid."
Source Documentation	Records that validate project activities and achievements as they pertain to the objectives outlined in the Grant Award Agreement.
Supplanting	To reduce federal, state, or local funds because of the existence of Cal EMA funds. Supplanting occurs when a Recipient deliberately replaces its non-Cal EMA funds with Cal EMA funds, thereby reducing the total amount available for the stated purpose.
Terms of the Program	The applicable Program Guidelines, application requests [Request for Proposal (RFA)/Request for Application (RFA)], grant award agreement, Cal EMA policy statements, and applicable statutes. In the event the terms of the program are inconsistent with the provisions of this handbook, the terms of the program shall be interpreted and construed as superseding the provisions of this handbook.
USC	United States Code